IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER

S.B.CRIMINAL MISC. PETITION NO. 444/2006
(Kaka Singh @ Sukhmendra Singh & Ors. V/s State of Rajasthan)

Date of Order : 23/08/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. D.S.Dev, for the petitioners.
Mr. Ashok Upadhyay, public prosecutor.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioners have challenged the order dated 02.7.2005 passed by Additional Sessions Judge, Anupgarh (for short 'the revisional court' hereinafter) whereby the revision petition filed by the petitioners against the order dated 06.4.2004 passed by Judicial Magistrate, Gharsana (for short 'the trial court' hereinafter), was dismissed.

I have heard learned counsel for the petitioners. Carefully gone through the orders of the trial court as well as the revisional court.

The order framing charge is dated 06.4.2004 and there has not been any interim stay. By now, the trial must have proceeded. Even otherwise, on the basis of the material placed

before the trial court, the trial court came to the conclusion that there is ground to presume that the petitioners have committed the offences for which the charges have been framed against them. On a revision, the revisional court, on examination of the record, also came to the conclusion that prima-facie there is sufficient evidence to presume that the petitioners committed the offences.

In the circumstances, therefore, the orders impugned call for no interference. The petition is therefore, dismissed. Stay petition also stands dismissed.

(H.R.PANWAR),J.

rp